

REVISED MOTION BY SUPERVISOR MARK RIDLEY-THOMAS
Relates to Agenda Item 2

MARCH 2, 2010

Review of the Probation Department's Internal Affairs Units

Allegations of inappropriate contact between a few employees of the Probation Department and the juveniles under their care and responsibility were recently investigated by the Probation Department's Child Abuse Special Investigations Unit (CASIU) and the Internal Affairs Unit (IAU). While some investigations have been completed, others are still pending.

The fairness and accuracy of these investigations is critical to public confidence in the Probation Department, the protection, health and safety of the juveniles under the custody of the department and the credibility of the CASIU and IAU, the primary investigation units.

Therefore, the Board of Supervisors and the public we serve must be confident that the CASIU and IAU are adequately staffed, and that those in the units are properly trained, equipped, and supervised to perform these critical functions and duties.

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MOTION

RIDLEY-THOMAS	_____
YAROSLAVSKY	_____
KNABE	_____
ANTONOVICH	_____
MOLINA	_____

I THEREFORE MOVE THAT THE BOARD OF SUPERVISORS:

Direct the Chief Executive Officer to work with the Acting Chief Probation Officer in conjunction with the Auditor Controller's Office, to perform and review the operations of the CASIU, IAU, and the Probation Department, and issue a confidential report on:

1. The adequacy of the CASIU and IAU investigations including review of:
 - a. Training and experience of management and investigatory staff;
 - b. Staffing levels, including support and supervisory personnel;
 - c. Ratios of investigators to caseloads;
 - d. The timeliness of investigation (from inception to resolution);
 - e. Resources available to CASIU and IAU staff;
 - f. Approval and review process of interim and final reports by
Department management; and
 - g. The record of disciplinary actions and, if warranted, legal prosecutions
and their ability to sustain appeals.
2. Methods for strengthening, if necessary, CASIU's and IAU's investigatory capacity, that considers, among other options:
 - a. Increasing personnel in the CASIU and IAU;
 - b. Creating an Office of Independent Review with oversight over the
Probation Department.

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3. Protocols to prevent incidents of abuse between Probation Department personnel and minors, to include an:
 - a. Examination of incidents, if any, of abuse discovered by investigators from the Department of Justice;
 - b. Comparative analysis of these instances with the current allegations;
 - c. Review and identification, if any, of patterns, variations and differences;
 - d. Evaluation of the circumstances which gave rise to opportunities for inappropriate relationships between Probation Department personnel and minors; and
 - e. Recommendations on how such opportunities can be prevented.

The report should include a comparative review of Probation Departments in other jurisdictions, and a discussion of identified best practice and recommendations for improvements to the CASIU and IAU or to its protocols. This report is due within 90 days and should be reviewed by County Counsel and presented to the Board of Supervisors in closed session.

The Chief Probation Officer is to provide a monthly update to the Board of Supervisors on the progress of its investigation.

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